

(1) ~~Automatic Extension. When a~~ A corporation or an Alabama affiliated group ~~has been granted an extension, will be granted an automatic extension~~ up to a maximum of six months, ~~by the Internal Revenue Service, an automatic extension for the same period will be granted~~ to file the Alabama corporation income tax return. ~~To qualify for this automatic extension, the Alabama return, filed within the extended period, shall include a copy of the approved Federal extension. If a copy of the Federal approved form is not properly attached to the return when filed, the return will be considered delinquent and a penalty shall be assessed. An extension of time granted pursuant to this section is not an extension of time for payment of the tax. The amount of tax due must be paid on or before the due date of the return without regard to the extension to file the return.~~ Any tax due, not paid on or before the unextended due date, will be subject to interest until paid at the rate provided in § 40-1-44, Code of Alabama 1975, and all applicable penalties.

(2) ~~Additional Extensions.~~

(a) ~~Any extension beyond that granted by the Internal Revenue Service the automatic extension must be requested in writing to be individually approved. A copy of the Federal Form 7004 must be included with a request for such an extension. An Alabama affiliated group must attach a copy of the Federal Form 851. A copy of such granted extension shall be included with the Alabama return when filed. No extension can be granted for more than six months. An entity that fails to file the required return by the extended due date may not be granted an automatic extension the following (ensuing) year, but may be required to request the extension in writing.~~

(b) ~~A corporation or an Alabama affiliated group may request an extension of time to file its Alabama income tax return, without regard to whether or not an extension of time to file the federal return has been requested, by filing Alabama Form 20-E. The Alabama affiliated group must attach a copy of Alabama Form 20C-AS. If a written request is required, the request must be made to the Commissioner of Revenue or to his designee, and must explain the reason for the request and the reason for failing to timely file the return in the previous year. The request also must state that the entity has no outstanding debts owed to the Department.~~

(3) Estimated Payments. Those corporations with liabilities in excess of estimated payments or credits ~~(even if an extension of time to file has been requested or granted)~~ should file Alabama Form 20-E with the Department remit the balance due on or before the due date of the return, ~~together with remittance covering the liability.~~ Members of an Alabama affiliated group which have carryover payments from a prior year's filing of a separate return shall treat such carryover as a payment of estimated taxes on the Alabama consolidated return for the following year. Interest and penalties are due on all taxes not paid on or before the unextended due date. See Rule 810-3-42-.01.

(4) ~~Termination of Extension.~~

~~(a) The Department may terminate an extension at any time by mailing a notice of termination to the corporation or to the person who requested the extension for the corporation. The notice shall be mailed at least ten days prior to the termination date designated in the notice.~~

~~(b) Termination by the Internal Revenue Service of an extension granted on Form 7004 also terminates the automatic extension granted by the Department.~~

~~(c) If the Department rejects a request for an extension, the return must be filed within 10 days after the date the Department mails the notice of rejection.~~

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